

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Kaam Limited
C/o Agent

Agent (if used)

Mr Julian Austin
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Removal of condition 8 (car parking provision) attached to planning permission referenced 135684/JO/2022.

Location: 7 Rainforth Street, Longsight, Manchester, M13 0RP

Date of application: 27 December 2023

Application number: 138922/JO/2023

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, sufficient information has been submitted to facilitate the appropriate assessment of the development without a requirement for further negotiation.

Condition(s) attached to this decision

1) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 27 May 2020, 9 June 2020, 6 December 2022 and 27 December 2023:

Application for Removal or Variation of a Condition following Grant of Planning Permission

Existing and Proposed Floor Plans, (ref: A1265(02)AP007)

Existing and Proposed Street Elevations, (ref: A1265(01)AP006)

Proposed Site Plan and Basement Plan, (ref: A1265(02)AP001, Rev P2)

Proposed Ground and First Floor Plans, (ref: A1265(02)AP002, Rev P2)

Proposed Second and Third Floor Plans, (ref: A1265(02)AP003, Rev P2)
Proposed West and North Elevations, (ref: A1265(02)AP004, Rev P2)
Proposed East and South Elevation, (ref: A1265(02)AP005, Rev P2)
Bin Store details Ref: F11/EA/17 Rev. C
Windows distances Ref: Ref: F11/EA/18 Rev A.
Highways Technical Note Ref: J000441-HTN02a December 2023 Minor Material
Amendment
7 Rainforth Street, Longsight, Manchester by Focus Transport Planning Highways
Technical Note

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

2) The planning permission hereby granted relates to the formation of 3 x two bedroom apartments and 3 x one bedroom apartments on floors 1 to 3 (inclusive) as set out on the approved drawings.

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

3)) Notwithstanding the details of the approved drawings referenced:

Existing and Proposed Floor Plans, (ref: A1265(02)AP007)
Existing and Proposed Street Elevations, (ref: A1265(01)AP006)
Proposed Site Plan and Basement Plan, (ref: A1265(02)AP001, Rev P2)
Proposed Ground and First Floor Plans, (ref: A1265(02)AP002, Rev P2)
Proposed Second and Third Floor Plans, (ref: A1265(02)AP003, Rev P2)
Proposed West and North Elevations, (ref: A1265(02)AP004, Rev P2)
Proposed East and South Elevation, (ref: A1265(02)AP005, Rev P2)
Bin Store details Ref: F11/EA/17 Rev. C
Windows distances Ref: Ref: F11/EA/18 Rev A.

the planning permission hereby granted does not confer consent for the undertaking of retail/commercial use (Class E) in the ground floor and basement of the building.

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) The development hereby approved shall be implemented in accordance with the materials and specification detailed on drawings referenced: Proposed West and North Elevations, (ref: A1265(02)AP004, Rev P2) and Proposed East and South Elevation, (ref: A1265(02)AP005, Rev P2) relating to 1st to 3rd floor external elevations, including the formation of brick sills and lintels. Any required reinstatement works to external elevations shall be implemented using matching brick, mortar and roofing materials and maintained in situ thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1, EN1 and DM1 of the Core Strategy for City of Manchester.

5) Before the occupation of the development, details materials and specifications of the ground floor and basement elevations, as shown on drawings referenced: Proposed

West and North Elevations, (ref: A1265(02)AP004, Rev P2) Proposed East and South Elevation, (ref: A1265(02)AP005, Rev P2) Proposed elevations F11/EA/12 Rev C and Proposed elevations F11/EA/13 Rev D, shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented before the occupation of the development and maintained in situ thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1, EN1 and DM1 of the Core Strategy for City of Manchester.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the residential units shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a) not precluding occupation by two unrelated people sharing a property.

Reason - In the exceptional circumstances of a proliferation of HMOs restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

7) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by residents of the development
- ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the travel plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

8) Before the occupation of any of the authorised apartments, the development shall be fully implemented in accordance with the submitted arrangements for cycle storage as detailed on drawings referenced: Bin store details Ref: F11/EA/17 Rev C. The implemented cycle storage shall be maintained in situ thereafter.

Reason - To ensure that the development is supported with satisfactory cycle storage, to encourage the use of sustainable modes of transport and in the interests of residential amenity, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

9) Before the occupation of any of the authorised apartments, the development shall be fully implemented in accordance with the submitted waste management plan comprising of the details within the Waste Proforma dated 23 January 2020 and Proposed West and North Elevations, (ref: A1265(02)AP004, Rev P2) and Proposed East and South Elevation, (ref: A1265(02)AP005, Rev P2) and Bin store details Ref: F11/EA/17 Rev C. The approved waste management arrangements shall be maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

10) Before the development commences, the submitted document referenced: 7 Rainforth Street, Manchester, Acoustic Planning Report by Lighthouse Acoustics, Ref: 0586/APR2 dated 29 November 2022 shall be supplemented with a scheme to be submitted to and approved in writing by the City Council as local planning authority, detailing measures for acoustically insulating the residential accommodation and shall include:

- a. Details of proposed glazing systems in accordance with recommended minimum sound insulation performance;
- b. A report from mechanical services / acoustic engineer on any proposed ventilation system supporting the development, including , if required, the number of ventilators per room and details of a forced mechanical ventilation system with related controls;
- c. A further report from an acoustic engineer on selected plant design in accordance with recommended plant emission limits at nearest noise sensitive receptors.

The approved noise insulation scheme shall be implemented before any of the apartments are occupied and maintained in situ thereafter.

Reason - To secure a reduction in noise from Rainforth Street and between authorised apartments, in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

11) The development shall be fully implemented in accordance with document referenced Daytime Bat Survey of 7 Rainforth Street, Longsight Manchester by Rachel Hacking Ecology dated March 2020. If the authorised works have not commenced by March 2022 , no works shall take place until an updated bat survey has been submitted to and approved in writing by the City Council as local development. The development shall be fully implemented in accordance with the approved updated bat survey.

Reason - To provide opportunities for new wildlife habitats and ensure the protection of the existing habitats of species that are protected and in order to comply with policies

SP1, EN15 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

12) The development shall be implemented in accordance with the scheme comprising letter from Kingdom Ecology dated 3 September 2020 and referenced: Biodiversity Enhancement Measures- 7 Rainforth Street, Longsight, Manchester, M13 0RP (Application No: 126006/FO/2020), including: the installation of individual bat, sparrow nest and swift nest boxes detailed in Figure 1 - Bio-diversity enhancement. The approved details shall be implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - in the interests of residential development and to encourage bio-diversity, pursuant to policies SP1, EN1, EN15 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

13) Before first occupation of the development thereby approved, all bedroom , and living rooms windows to the side elevations (north and south) as shown on plan referenced:

Proposed Floor Plans:

Proposed Ground and First Floor Plans, (ref: A1265(02)AP002, Rev P2)

Proposed Second and Third Floor Plans, (ref: A1265(02)AP003, Rev P2)

Elevations:

Proposed West and North Elevations, (ref: A1265(02)AP004, Rev P2)

Proposed East and South Elevation, (ref: A1265(02)AP005, Rev P2)

shall be opaque glazing to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent, up to 1.7 metres above the floor of the room in which the window is installed, and be non-opening , unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking, pursuant to the policies DM1 and SP1 of the Core Strategy for the City of Manchester.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance

with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 5 February 2024

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-decision . The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.